

THE HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

vs.

MOTOROLA, INC., at al.,

Defendants.

Case No. C10-1823-JLR

[PROPOSED] ORDER GRANTING
NON-PARTY QUALCOMM
INCORPORATED'S MOTION TO SEAL
DOCUMENTS

NOTE ON MOTION CALENDAR:
Friday, November 23, 2012

Without Oral Argument

This matter having come before the Court on Non-Party Qualcomm Incorporated's ("Qualcomm") Motion to Seal Documents and the Court having considered the motion papers and the records on file herein,

And the Court, being fully advised in the premises, it is therefore hereby ORDERED, ADJUDGED and DECREED that Qualcomm's Motion is Granted as follows:

1. Qualcomm has established that compelling reasons exist for sealing the following documents:

[PROPOSED] ORDER GRANTING NON-PARTY
QUALCOMM INCORPORATED'S MOTION TO
SEAL DOCUMENTS
Case No. C10-1823-JLR

COOLEY LLP
719 SECOND AVENUE SUITE 900
SEATTLE, WA 98104-1732
(206) 452-8700

- i. An Agreement to Amend the 1990 Patent License Agreement between Motorola, Inc. and Qualcomm, Inc., labeled MOTM_WASH1823_0025476-488 and Defendants' Trial Exhibit 2809, and designated "Confidential Business Information" and "Attorneys' Eyes Only";
- ii. An Amendment to DS-CDMA Technology Agreement between Motorola, Inc. and Qualcomm, Inc., labeled MOTM_WASH1823_0025409-412 and Defendants' Trial Exhibit 3230, and designated "Confidential Business Information" and "Attorneys' Eyes Only";
- iii. An Agreement to Amend the Patent License Agreement and Technology License Agreement and Software License Agreement between Motorola, Inc. and Qualcomm, Inc., labeled MOTM_WASH1823_0025413-430 and Defendants' Trial Exhibit 3231, and designated "Confidential Business Information" and "Attorneys' Eyes Only";
- iv. A DS-CDMA Technology Agreement between Qualcomm, Inc. and Motorola, Inc. labeled MOTM_WASH1823_0025431-467 and Defendants' Trial Exhibit 3232, and designated "Confidential Business Information" and "Attorneys' Eyes Only";
- v. A Patent License Agreement between Motorola, Inc. and Qualcomm, Inc., labeled MOTM_WASH1823_0025489-502 and Defendants' Trial Exhibit 3233, and designated "Confidential Business Information" and "Attorneys' Eyes Only";
- vi. A Draft of an Agreement to Amend the Patent License Agreement between Motorola, Inc. and Qualcomm, Inc., labeled MOTM_WASH1823_0025468-475 and Defendants' Trial Exhibit 3234, and designated "Confidential Business Information" and "Attorneys' Eyes Only"; and
- vii. An Atheros Communications October 2008 Data Sheet for the AR9280 Single-Chip 2x2 MIMO MAC/BB/Radio with PCI Express Interface for 802.11n2.4 and 5 GHz WLANs, labeled MS-MOTO_752_0001091439-592 and Defendants' Trial Exhibit 3343, and designated "Confidential Business Information".

2. These documents are confidential and contain trade secret information. Qualcomm has done nothing to put that information at issue in this case where it is not a party. These documents and any other materials containing trade secret information derived from these documents shall be sealed.

3. The courtroom is to be cleared and closed when argument on this topic, testimony on this topic, or these exhibits are discussed.

4. If additional documents from Qualcomm are intended to be offered into evidence, the parties are to notify Qualcomm immediately so that it can seek to seal or redact confidential and trade secret information before the documents are offered into evidence.

DATED this _____ day of November, 2012.

HONORABLE JAMES L. ROBART
United States District Judge

Presented by:

Dated: November 10, 2012

/s/ Christopher B. Durbin
Christopher B. Durbin (WSBA #41159)
COOLEY LLP
719 Second Avenue, Suite 900
Seattle, WA 98104-1732
Telephone: (206) 452-8700
Facsimile: (206) 452-8800
Email: cdurbin@cooley.com

Attorney for Non-Party Qualcomm, Inc.